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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DAVID PONCE,

Plaintiff,

v.

FRESNO COUNTY SHERIFF'S
DEPARTMENT,

Defendant.

1:21-cv-01046-HBK (PC)

ORDER GRANTING MOTION TO PROCEED
IN FORMA PAUPERIS AND DIRECTING
KINGS COUNTY SHERIFF TO DEBIT
INMATE ACCOUNT

(Doc. No. 2)

Plaintiff, a prisoner, initiated this action by filing a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983 on July 2, 2021. (Doc. No. 1, Complaint). Plaintiff seeks leave to proceed *in forma pauperis* on his Complaint and submitted a copy of his prison trust fund statement in support. (Doc. Nos. 2). Plaintiff has made the showing required by § 1915(a) to proceed *in forma pauperis* but remains obligated to pay the full statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff must make monthly payments in the amount of twenty percent (20%) of the preceding month's income credited to his prison trust account. 28 U.S.C. § 1915(b)(2). The Kings County Sheriff is required to send to the Clerk of the Court payments from plaintiff's account each time the amount in his account exceeds \$10.00 until the \$350.00 statutory filing fee is paid in full. *Id.*

According, it is **ORDERED**:

1. Plaintiff's application to proceed *in forma pauperis* (Doc. No. 2) is **GRANTED**.

1 Pursuant to 28 U.S.C. § 1915 (b)(1), the King County Sheriff or his designee shall
2 collect payments from Plaintiff's prison trust account in an amount equal to twenty percent
3 (20%) of the preceding month's income credited to the Plaintiff's trust account and shall
4 forward those payments to the Clerk of the Court each time the amount in the account
5 exceeds \$10.00 until a total of \$350.00 has been collected and forwarded to the Clerk of the
6 Court. The payments shall be clearly identified by Plaintiff's name and the case number
7 assigned to this action.

8 The Clerk of the Court is directed to serve a copy of this Order and a copy of Plaintiff's *in*
9 *forma pauperis* application (Doc. No. 2) on the Kings County Sheriff located at 1444 W. Lacey
10 Blvd., P.O. Box 986 Hanford, CA 93232.

11 The Clerk of the Court is directed to serve a copy of this Order on the Financial
12 Department, U.S. District Court, Eastern District of California, Sacramento Division.

13
14 Dated: July 7, 2021


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE